

United States Court of Appeals
For the Eighth Circuit

No. 16-2145

Charles Swift

Plaintiff - Appellant

v.

Walmart

Defendant - Appellee

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: October 3, 2016

Filed: October 6, 2016

[Unpublished]

Before LOKEN, BOWMAN, and MURPHY, Circuit Judges.

PER CURIAM.

Charles Swift appeals the district court's¹ preservice dismissal without prejudice of his pro se diversity complaint. The court dismissed the complaint after

¹The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.

Swift failed to comply with the court's order to provide evidence of damages sufficient to invoke diversity jurisdiction. Having carefully considered the record, and given the without-prejudice nature of the dismissal, we conclude the district court did not abuse its discretion in dismissing without prejudice.

Accordingly, we affirm. See 8th Cir. R. 47B.
